

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE FILING BY)	ORDER APPROVING
NORTHWESTERN CORPORATION D/B/A)	CONTRACT WITH
NORTHWESTERN ENERGY FOR APPROVAL)	DEVIATIONS
OF A CONTRACT WITH DEVIATIONS WITH)	
BURLINGTON NORTHERN AND SANTA FE)	EL07-019
RAILROAD)	

On May 24, 2007, the Public Utilities Commission (Commission) received a filing by NorthWestern Corporation d/b/a NorthWestern Energy (NWE) requesting approval of a Contract with Deviations with Burlington Northern and Santa Fe Railroad (Burlington Northern). Burlington Northern requested service to two new switch heaters which will require significant buried line and new transformers. The contract will allow NWE to recover the cost of these facilities from Burlington Northern. NWE filed the following tariff sheet for Commission approval:

Section No. 4, 3rd Revised Sheet No. 1, Canceling 2nd Revised Sheet No. 1

At its June 26, 2007, meeting, the Commission considered the request for approval of the Contract with Deviations. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-8.3, 49-34A-10, and 49-34A-11. Further, the Commission finds that NWE's request for approval of a Contract with Deviations and associated tariff revision is just and reasonable and shall be approved for service rendered on and after July 1, 2007. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of a Contract with Deviations is in the public interest and is hereby granted; and it is further

ORDERED, that the above-mentioned tariff is approved and is effective for service rendered on and after July 1, 2007.

Dated at Pierre, South Dakota, this 2nd day of July, 2007.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.
By: <u><i>Delaine Kalbo</i></u>
Date: <u>7/5/07</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Gary Hanson
GARY HANSON, Commissioner

Steve Kolbeck
STEVE KOLBECK, Commissioner